IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3639 OF 2006

Ms.Shahnaj Sadik @ Raju Jamadar Applicant
versus
The State of Maharashtra Respondent

Mr.Indrajeet Joshi for applicant.
Mr.P.A.Pol, APP for respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 16th October 2006

PC :

1. The applicant is accused no.2 in connection with CR No.173 of 2006. The said CR is registered at Juna Rajwada Police Station, Kolhapur alleging offences punishable under sections 286, 337, 427, 109 of IPC and Sections 5 and 6 of Explosive Substance Act, 1908.

2. The applicant is a woman accused. She has been arrested because of the fact that she is allegedly assisting her husband in bringing the materials and preparing fire crackers in their residential premises. The Trial Court has rejected the application on the ground that the

explosion took place in the house where both, present applicant and her husband, are residing. The explosives' substances are recovered and have been sent for chemical analysis. Since the chemical analysis report is awaited, her application cannot be considered. More so, when investigations are in progress.

3. I have perused the copy of the complaint which has been registered at the instance of Maruti Babasaheb Patil, PSI, June Rajawada Police Station. Upon information being received the premises were raided by him and insofar as role of the applicant is concerned, beyond the applicant admitting that the fire crackers were prepared in her house and she assisted her husband, nothing has been attributed to her. She is house-wife. In such circumstances, considering her limited role, she deserves to be enlarged on bail. Hence, following order.

4. ORDER

(i) The applicant shall be enlarged on bail in connection with C.R.No.173 of 2006 registered with Juna Rajwada Police Station, Kolhapur subject to furnishing a personal bond of Rs.5,000/- (Rs.Five thousand only) with one or two local sureties in the like sum;

(ii) The applicant shall report to Juna Rajwada

Police Station, Kolhapur once in a week on every Wednesday during 02.00 to 04.00 p.m. till charge sheet is filed;

(iii) The applicant shall forthwith furnish residential address to the I.O. where she proposes to reside after bail and till filing of charge sheet, and shall not change her residence without prior intimation to the I.O;

(iv) The bail is granted subject to condition that the applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with prosecution evidence;

(v) The applicant shall co-operate with the Trial Court for expeditious disposal of the trial. Any attempt by the applicant to delay the trial may be a ground for cancellation of bail;

(vi) Any observation/s made in this order shall not be constructed as any finding or any expression of opinion on the merits of the case at the time of trial;

(viii) Application is disposed of in above terms.

(S.C.DHARMADHIKARI, J.)